



The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

**LETTER OF DEFICIENCY  
WD -WQE 05-01**

April 1, 2005

Eckman Construction  
84 Palomino Lane  
Bedford, New Hampshire 03110-6449

Attn: Mr. John DeLoya

Re: Site Specific Permit WPS-6763-A  
St. Katharine's Church, Hidden Spring Road, Alton, NH

Dear Mr. DeLoya:

On March 29, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Alton Tax Map 15 as Lot 49-1 (the "Property"). The purpose of the inspection was to determine compliance with RSA 485-A:17 and applicable rules promulgated pursuant thereto.

During the inspection the following deficiencies were documented:

1. The construction sequence approved under Site Specific Permit WPS-6763-A (the "Permit") had not been followed. Specifically:
  - a. Soils had been disturbed for more than 45 days and had not been stabilized in accordance with the approved plans; and
  - b. Runoff had been directed to ditches/swales and the detention pond before they had been stabilized.
2. Soil erosion was observed in the following locations:
  - a. The church driveway, parking lot and building area;
  - b. The ditch along the north side of Hidden Spring Road;
  - c. The new road on the east side of the Property;
  - d. The slopes of the detention pond;

- e. The bypass ditch next to the detention pond, and
  - f. The soil stockpiles.
3. Sediment accumulations were observed in the following locations:
- a. The church driveway and parking lot;
  - b. The ditch along the north side of Hidden Spring Road;
  - c. The new road on the east side of the Property;
  - d. The bottom of the detention pond, and
  - e. Downslope of the soil stockpiles.
4. Sediment-laden water was draining from the disturbed areas to the ditch along the north side of Hidden Spring Road, and then to the detention pond, which discharges to a wetland.
5. Throughout the site, sections of the silt fence were in need of proper installation, clean-out and/or maintenance.
6. Ditches/swales and the detention pond had not been stabilized in accordance with the approved plans.
7. Construction of the detention pond inlet and outlet had not been completed, and
8. Construction of the outlet of the bypass ditch had not been completed.

DES believes the deficiencies can be corrected by:

Engaging the services of a Certified Professional in Erosion and Sediment Control ("Consultant") **until the site is in compliance with the Permit**. During this period, the Consultant should inspect the subject site at least once a week, and if possible, during a ½ - inch rain event (i.e. ½ inch of precipitation within a 24 hour period). If unable to be present during such a storm, the Consultant should inspect the site within 24 hours of this event.

The Consultant should submit a list of recommendations **and** timetable to bring the Property into compliance with the Permit to Denise M. Frappier at:  
[dfrappier@des.state.nh.us](mailto:dfrappier@des.state.nh.us) **by April 8, 2005.**

The Consultant should provide technical assistance and recommendations to Eckman Construction on the appropriate Best Management Practices for Erosion and Sediment Controls required to bring the Property into compliance with RSA 485-A:17 and the Permit.

Within 24 hours of the site visit, the Consultant should prepare and submit a written status report of the findings and recommendations to Denise M. Frappier via e-mail.

Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party. DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 485-A:17 will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against the Property.

Except as requested above, all documents submitted in response to this Letter of Deficiency should be addressed as follows:

Denise Frappier, CPESC  
Site Specific Program  
Department of Environmental Services  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Denise Frappier at 466-5910 or me at 271-2303.

Sincerely,

 **COPY**

Ridgely Mauck, P.E.  
Land Resources Management Program

CERTIFIED MAIL:

cc: Gretchen R. Hamel, Legal Unit Administrator  
Denise M. Frappier – WQE/WD/DES  
Paul F. Harrington, Diocese of Manchester  
Kathy Menici, Planner, Town of Alton  
Alton Board of Selectmen  
James T. Spaulding, Burd Engineering Assoc.  
Seth C. Potter, Dufresne-Henry